

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

☒ Utility

INVENTORSHIP IDENTIFICATION

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MEANS AND METHOD OF REPLACING  
A HEART VALVE IN A  
MINIMALLY INVASIVE MANNER

SPECIFICATION IDENTIFICATION

the specification of which is attached hereto.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PRIORITY CLAIM

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

☒ no such applications have been filed.

009050-61490260

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

☒ SN 08/606,353 filed 02/23/96, patent 5,716,370, 08/802,948, filed 02/21/97, and SN 08/964,026 filed 11/04/97, pending.

#### POWER OF ATTORNEY

As a named inventors, we hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Terry M. Gernstein  
Reg. No. 26,891

Send all correspondence to:

Terry M. Gernstein  
1015 Salt Meadow Lane  
McLean, VA 22101

Direct Telephone Calls to:

Terry M. Gernstein  
(703) 790-5945

#### DECLARATION

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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FROM [REDACTED] N P WILLIAMSON 513 583 856 [REDACTED]

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P. 04

## SIGNATURES

Full name of first inventor: Warren P. Williamson, IV

Inventor's signature: Warren P. WilliamsonDate: 3-31-99 Country of Citizenship: United States

Residence: 101 Southbend Ct., Loveland, OH 45140-7134

Post Office Address: The same as above residence address

Full name of second inventor: Paul A. Spence

Inventor's signature: Paul A. SpenceDate: April 2/99 Country of Citizenship: Canada

Residence: 5818 Orion Road, Louisville, KY 40222

Post Office Address: The same as above residence address

Full name of third inventor: George T. Chistakis

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: Canada

Residence: 6 Pine Hill Rd., Toronto, Ontario, CN M4W 1P6

Post Office Address: The same as above residence address

Full name of fourth inventor: Mark Ortiz

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: United States

Residence: 5981-7 Meadowcreek Rd., Milgord, OH 45150

Post Office Address: The same as above residence address

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## SIGNATURES

Full name of first inventor: Warren P. Williamson, IV

**Inventor's signature**

Date: 3-31-99 Country of Citizenship: United States

**Residence:** 101 Southbend Ct., Loveland, OH 45140-7134

**Post Office Address:** The same as above residence address

Full name of second inventor: Paul A. Spence

**Inventor's signature:**

Date: \_\_\_\_\_ Country of Citizenship: Canada

**Residence: 5818 Orion Road, Louisville, KY 40222**

**Post Office Address:** The same as above residence address

Full name of third inventor: George T. Chistakis

**Inventor's signature:**

Date: Apr 27 1999 Country of Citizenship: Canada

**Residence: 6 Pine Hill Rd., Toronto, Ontario, CN M4W 1P6**

**Post Office Address:** The same as above residence address

Full name of fourth inventor: Mark Ortiz

**Inventor's signature:**

Date: \_\_\_\_\_ Country of Citizenship: United States

**Residence:** 5981-7 Meadowcreek Rd., Milgord, OH 43150

**Post Office Address:** The same as above residence address

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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (F) AND 1.27 (b) - INDEPENDENT INVENTOR**

As below named inventors, we hereby declare that we qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

**MEANS AND METHOD OF REPLACING  
A HEART VALVE IN A  
MINIMALLY INVASIVE MANNER**

described in the specification being filed herewith.

We have not assigned, granted, conveyed or licensed and are under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which we have assigned, granted, conveyed, or licensed or are under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization.

We acknowledge our duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date of on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: Warren P. Williamson IV

  
Signature of Inventor

Date: 3-8-99



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**Date:** \_\_\_\_\_

Date: Apr. 27 1999

Date: Apr. 27 1999

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**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

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Inventor: Paul A. Spence

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Signature of InventorDate: 

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Inventor: George T. Christakis

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Signature of InventorDate: 

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Inventor: Mark Ortiz

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*Mark Ortiz*  
Signature of InventorDate: APRIL 27 1999

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